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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/017,006	12/14/2001	James Sheung Lau	CA920000072-US1	7929
7590 Anne Vachon Dougherty 3173 Cedar Road Yorktown Heights, NY 10598			EXAMINER PATEL, AJIT	
			ART UNIT 2617	PAPER NUMBER
			MAIL DATE 10/07/2008	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/017,006	LAU, JAMES SHEUNG	
	<b>Examiner</b>	<b>Art Unit</b>	
	AJIT PATEL	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 31 January 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1 and 6-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,6-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

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1. Claim 9 is objected to because of the following informalities: "sending" recited in line 3 should be changed to --receiving--. Appropriate correction is required.
2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
3. Claims 1,6-11,16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Coffee et al (of the record).

Regarding claims 1, 16, Coffee discloses a communication comprising a web server component for storing data and for generating internet messages (the components 14,21,22,23 of fig. 1 inherently disclose a memory which storing data that comes from internet or wireless networks such as CDPD, CDMA etc.); and a wireless communications interface operable to convey internet messages to and from the wireless web server using a wireless digital packet network (the transceiver in 21 of fig. 1 which receives the internet message from 13 of fig. 1 and transmits this messages wirelessly to CDPD). Coffee et al's wireless web server comprises a business application server (23), web server (22), location aware business logic component (14) and wireless network servers (21). However, putting a business application server (23), web server (22), location aware business logic component (14) and wireless network servers (21) of

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Coffee et al together in box (called wireless server) would have been design choice.

Regarding claim 6, Coffee et al disclose wherein said communications interface is operable to transmit and receive said internet messages on a cellular digital packet network (the transceiver in 21 receives internet message from 13 and transmits to CDPD network, see fig. 1).

Regarding claims 7, 17, Coffee et al disclose wherein said communications interface is operable to receive Transmission and Control Protocol (TCP/IP) messages from said web server for transmission on said wireless digital packet network (the internet 13 of fig.1 uses TCP/IP protocol, also see para. 0131).

Regarding claim 8, Coffee et al disclose wherein said communications interface is operable to transmit said internet messages according to the TCP/IP protocol to said web server (see para. 0131; the interface of 21 transmits internet message).

Regarding claim 9,18, Coffee et al disclose wherein said communications interface comprises a wireless transceiver for transmitting and receiving said internet messages on said wireless digital packet network (the transceiver in 21 of fig. 1 transmits and receives internet messages).

Regarding claim 10, Coffee et al disclose wherein said web server is operable to receive and store data to be served (the components 14,21,22,23 of fig. 1 inherently disclose a memory which storing data).

Regarding claim 11, Coffee et al disclose an input interface operable to receive a signal from a sensor and produce a data representation of said signal,

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for storage as data to be served by said wireless web server (the input at 23 or 22 receives data from 11 or the transceiver at 21 receives data from 15).

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 12-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Coffee et al in view of Boyle et al (of the record).

Regarding claim 12, Coffee et al disclose all the claimed limitation in previous paragraph except the signaling which comprises a) receiving at said wireless web server a data request message from a wireless digital packet network; b) requesting data from the web server component in response to said data request message; and c) transmitting on said wireless digital packet network a response message including data produced by said wireless web server in response to said data request message. Boyle et al disclose the signaling which comprises a) receiving at said wireless web server a data request message from a wireless digital packet network (see requesting in fig. 31); b) requesting data from the web server component in response to said data request message (see service reply in fig. 31); and c) transmitting on said wireless digital packet network a response message including data produced by said wireless web server in response to said data request message (see ACK in fig. 31). Therefore,

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it would have been obvious to one skilled in the art to use the teaching of Boyle et al in the system of Coffee et al in order to establish the connection and secure the communication.

Regarding claim 13, Coffee et al disclose extracting a Transmission and Control Protocol (TCP/IP) message from a wireless digital packet network protocol message (see para. 0131).

Regarding claim 14, Coffee et al disclose transmitting said TCP/IP message to said wireless web server (the TCP/IP message from 13 of fig. 1 is transmitted to 22 or 23).

Regarding claim 15, Coffee disclose inserting a Transmission and Control Protocol/Internet Protocol (TCP/IP) message from said wireless web server into a wireless digital packet network protocol message for transmission on said wireless digital packet network (the internet message (TCP/IP protocol from 13 is transmitted to CDPD wirelessly).

6. Applicant's arguments filed 1/31/08 have been fully considered but they are not persuasive. Applicant argued on pages 9-11 that the web servers of Coffee et al are not communicating wirelessly. Examiner disagreed with the applicant for the following. The transceiver of 21 of fig. 1 of Coffee et al is communicating to CDPD wirelessly. Therefore, the argument is not persuasive.

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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to AJIT PATEL whose telephone number is (571)272-3140. The examiner can normally be reached on MON-FRI.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, PAUL HARPER can be reached on 571-272-7605. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/AJIT PATEL/  
Primary Examiner, Art Unit 2617